

Appln No. 09/585,025
Am dt date September 27, 2005
Reply to Office action of October 20, 2004

REMARKS

The above identified patent application has been amended and reconsideration is hereby requested. Claims 1, 17-21, 24-27 and 29 have been amended. Claims 66, 67 and 76 have been canceled. New claims 80-82 have been added. Accordingly, claims 1-45, 47-65, 68-75 and 77-82 are pending.

I. Information Disclosure Statements

Applicants appreciate Examiner's acknowledgement of the numerous IDS that have been submitted. However, the Examiner still has not acknowledged receipt of the May 6, 2005 IDS. Accordingly, Applicants respectfully request consideration and acknowledgment of the above-mentioned IDS and the IDS being filed concurrently with this amendment.

II. Interview

Applicant's attorney, Jonathan Miller, conducted a brief telephonic interview with the Examiner on July 26, 2005. During the interview no formal agreements were reached regarding amendments to the claims. The rejection of claim 1 was discussed. Specifically, an informal agreement was reached that the cited references, U.S. Patent No. 5,825,893 "Kara" and U.S. Patent No. 5,680,629 "Slayden" did not teach a system where a quality assurance indicium was printed prior to printing a value bearing indicium. The Examiner indicated that if claim 1 was amended to clarify these elements then the cited references would not anticipate or render the claim obvious. Applicants have amended claim 1 with the intention of clarifying the

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claimed subject matter as discussed in the interview with the Examiner. Independent claims 29 and 52 were not discussed during the interview.

III. Claims Rejected Under 35 U.S.C. § 103(a)

Claims 1-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,825,893 issued to Kara (hereinafter "Kara") in view of US 5,680,629 issued to Slayden et al, (hereinafter "Slayden").

Applicants have amended claim 1 to include the elements of "the printing wizard ... prints a quality assurance indicium without charging the user, and if the quality assurance indicium prints correctly, then printing the VBI." As discussed in the interview of July 26, 2005, neither Kara nor Slayden teaches or suggest these elements of claim 1. Therefore, applicants believe that the cited references do not teach or suggest each of the elements of claim 1. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 1 are requested.

Claims 2-28 depend from claim 1 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to claim 1, in addition to the combination with each of the elements of these dependent claims, the cited references do not teach or suggest each of the elements of claims 2-28. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

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Claims 29-45 and 47-51 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kara in view of U.S. Patent No. 5,384,886 issued to Rourke (hereinafter "Rourke").

To establish a *prima facie* case of obviousness, the Examiner must show that the cited references, teach or suggest each of the elements of a claim. In regard to claim 29, this claim, as amended, includes the elements of "an auto update service to determine a current version of software on the client subsystem and download updated software for the client subsystem." Applicants have reviewed both Kara and Rourke, but have been unable to discern any part therein that teaches or suggests these elements of claim 29. Thus, applicants believe that the cited references do not teach or suggest each of the elements of claim 29. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 29 are requested.

In regard to claims 30-45 and 46-51, these claims depend from independent claim 29 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 29, in addition to the combination with each of the elements of these dependent claims, the cited references do not teach or suggest each of the elements of claims 30-45 and 46-51. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

Claims 52-69 and 71-78 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kara in view of U.S. Patent No. 6,098,058 issued to Gravell (hereinafter "Gravell"). Applicants respectfully disagree for the following reasons.

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In regard to claim 52, this claim includes the elements of "identifying that the user is using the second computer; validating the user from the second computer; and authorizing the user from the second computer to print the VBI." The Examiner states that Kara does not "expressly disclose" these elements of the claims and instead relies on Gravell to teach these elements. However, applicants have reviewed the cited sections of Gravell and have been unable to discern any part therein that teaches or suggests these elements of claim 52. Rather, Gravell discloses a system where client computers, not users, are authorized to access PSDs remotely. See Gravell, col. 7, lines 42-60. Applicants have been unable to find any discussion in Gravell of handling authorization on a user level basis, instead, the system of Gravell allows any user of an authorized client PC to access PSD functionality. Thus, the Examiner has not established that Kara and Gravell teach or suggest each of the elements of claim 52. Therefore, claim 52 is not obvious over the cited references. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 52 are requested.

In regard to claims 53-69 and 71-78, these claims depend from independent claim 52 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to independent claim 52, in addition to the combination with each of the elements of these dependent claims, the cited references do not teach or suggest each of the elements of claims 53-60 and 71-78. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

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IV. New Claims

New claims 80-82 have been added to the application. New claim 80 includes the elements of "a view history dialog box for generating historical reports." Applicants believe that this element is not taught or suggested by the cited references. Claim 81 depends from claim 80, and claim 82 depends from claim 29, thus at least for the reasons mentioned above regarding each respective independent claim, applicants believe these claims are not taught or suggested by the cited references. Accordingly, applicants believe that new claims 80-82 are allowable over the cited references.

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Conclusion

In view of the foregoing, it is believed that all claims now pending, namely claims 1-45, 47-65, 68-75 and 77-82, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (626) 795-9900.

Respectfully submitted,
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By


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